

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

JOHN P. SMITH

v.

RICHARD JOHNSON, Chancery Court  
Judge, WENDELL TREADWAY, Capt.,  
FORREST SHARPE, Admin. Asst.,  
MIKE FRALEY, Operations Lieut., and  
DANIEL J. PAUL, M.D.

NO. 2:06-CV-131

**MEMORANDUM**

This is a state prisoner's *pro se* civil rights action under 42 U.S.C. § 1983. The form complaint, which was signed by plaintiff, contained a notice and a warning—the former advising him that he was responsible for keeping the Court informed of any address change and the latter cautioning him that his failure to provide his correct address within ten [10] days of any address change would result in the dismissal of his case.

Despite the notice and the warning, a copy of an order entered in this lawsuit was mailed to plaintiff at the address he listed as his current address in his complaint but was returned to the Court by the postal authorities more than ten days ago, marked, "Released." Obviously, without plaintiff's correct address, neither the Court nor the defendants can communicate with him regarding his case.

Therefore, this action will be **DISMISSED** by separate order for plaintiff's failure to prosecute his claims. *See* Rule 41(b) of the FEDERAL RULES OF CIVIL PROCEDURE.

**ENTER:**

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE